



April 11, 2018

Governance and Finance Committee

Senator Mike McGuire (Chair)
Senator Janet Nguyen (Vice Chair)
Senator Jim Beall
Senator Ed Hernandez
Senator Robert M. Hertzberg
Senator Ricardo Lara
Senator John M. W. Moorlach
State Capitol, Room 408
Sacramento, CA 95814

SUBJECT: SB 946 (Lara) Sidewalk Vending - OPPOSE

Dear Legislators,

Central City Association opposes Senate Bill 946, which would prohibit cities from adopting rules or regulations related to sidewalk vending without first implementing a licensing program. This bill would force every city in California to permit vending and would greatly reduce a city's ability to regulate vending in parks. As proposed, SB 946 is a far-reaching approach that is not practical for a state as diverse as California.

SB 946 clearly states that local agencies may not prohibit vendor activity in parks. Many cities have established rules regarding park access, which can include beaches and coastline access, for environmental preservation and mutual enjoyment for all who visit. The provision relating to parks also confuses the authority of local government. Parks have their own authority to create regulations, issue permits, and enter into contracts for concessions. SB 946 undermines this authority.

The current language in SB 946 is silent on how vendors should be guided for safe food preparation and handling. This is highly problematic as local public health and environmental health departments work diligently to prevent and reduce community exposure to foodborne illnesses, which can cause ailments that range from mild to life-threatening. Existing law establishes the California Retail Code to protect the health and safety of consumers of food products sold. County environmental health departments serve counties as well as many cities in regulating retail food establishments, including mobile food facilities (Health and Safety Code Section 114294). Instead of creating new rules around sidewalk vending, we believe that food vendors should consistently comply with current law.

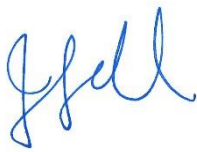
Additionally, in order to have a thriving vending program, there must be enforcement. This is the only way to create a level playing field for vendors who are good operators. SB 946 provides no resources to cities to support enforcement while limiting local control to create an efficient vending program that works best for their city. Unfortunately, SB 946 provides a one-size-fits-all penalty structure with administrative fines that grow with each subsequent violation. There is no option for cities to make adjustments to lessen or increase the penalty based on the severity of the violation. Furthermore, there

is no remedy offered to stop vending activity by repeat offenders who may be selling counterfeit goods, unsafe food, or dangerous or illicit products.

CCA is dedicated to enhancing the vibrancy of Downtown Los Angeles and increasing investment in the region, and we encourage you to oppose this broad bill. Just like Senator Lara, we support micro-entrepreneurship and the right of vendors to earn a living; however we disagree that SB 946 is the right approach.

We strongly believe that cities in California should have the ability to create regulations that meet their direct needs. CCA appreciates your consideration and encourages you to oppose SB 946.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Lall", with a stylized, cursive script.

Jessica Lall
President & CEO

CC: Anton Favorini-Csorba, Committee Consultant